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6 Attorneys for Defendant LONGS DRUG STORES CALIFORNIA, INC.

7  
8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
10

11 A.J. OLIVER,

12 Plaintiff,

13 v.

14 LONGS DRUG STORES  
CALIFORNIA, INC. dba LONGS  
15 DRUGS STORE #55; LONGS DRUG  
STORE, INC.

16 Defendants.  
17

CASE NO. 07CV 2302IEG (BLM)

**NOTICE OF MOTION TO DECLINE  
SUPPLEMENTAL JURISDICTION  
AND TO DISMISS PLAINTIFF'S  
STATE LAW CLAIMS [28 U.S.C. §  
1367(C)]**

**[Filed concurrently with  
Memorandum of Points; Authorities  
and Request for Judicial Notice; and  
[Proposed] Order]**

18 Date: February 19, 2008  
19 Time: 10:30 a.m.  
20 Dept.: Courtroom 1  
21 Judge: Hon. Irma E. Gonzalez

ACTION FILED: December 7, 2007

22 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

23 **PLEASE TAKE NOTICE** that on February 19, 2008, at 10:30 a.m. in  
24 Courtroom 1 of the above-referenced court located at 940 Front Street, San Diego,  
25 California, Defendant Longs Drug Stores California, Inc. will, and hereby does,  
26 move this Court to decline supplemental jurisdiction and to dismiss Plaintiff's state  
27 law claims pursuant to 28 U.S.C. § 1367(c).  
28 ///

1 This motion is based upon this notice, the accompanying Memorandum of  
2 Points and Authorities, the accompanying Request for Judicial Notice in Support of  
3 Motion to Decline Supplemental Jurisdiction and to Dismiss State Claims, as well as  
4 the complete files and records of this action and on such other and further evidence,  
5 arguments, and authorities as may be submitted prior to and during the hearing on  
6 this motion.

7  
8 DATED: January 7, 2008

JOHN L. BARBER  
MELISSA T. OMANSKY  
LEWIS BRISBOIS BISGAARD & SMITH LLP

9  
10  
11  
12 By 

John L. Barber  
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**FEDERAL COURT PROOF OF SERVICE**

*Oliver v. GMRI, Inc., et al.* - File No. F023-01

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 221 North Figueroa Street, Suite 1200, Los Angeles, California 90012.

On January 7, 2008, I served the following document described as **NOTICE OF MOTION TO DECLINE SUPPLEMENTAL JURISDICTION AND TO DISMISS PLAINTIFF'S STATE LAW CLAIMS [28 U.S.C. § 1367(C)]** on all interested parties in this action by placing ☒ a true copy ☐ the original thereof enclosed in sealed envelopes addressed as follows:

Lynn Hubbard, III, Esq.  
ScottLynn Hubbard, IV, Esq.  
Law Offices of Lynn Hubbard  
12 Williamsburg Lane  
Chico, California 95926  
Tel.: (530) 895-3252  
Fax: (530) 894-8244

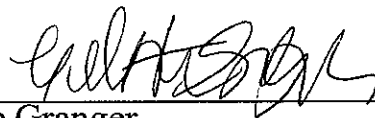
☒ (BY COURT'S CM/ECF SYSTEM) Pursuant to Local Rule, I electronically filed the documents with the Clerk of the Court using the CM/ECF system, which sent notification of that filing to the persons listed above.

☐ (BY PERSONAL SERVICE) I delivered the foregoing envelope by hand to the offices of the addressee.

☐ (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (FEDERAL) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on January 7, 2008, at Los Angeles, California.

  
Celeste Granger